

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/787,280

Paul Tinwell et al.

NOBLE METAL TIP FOR SPARK PLUG
ELECTRODE AND METHOD OF
MAKING SAME

Filed via EFS

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Group Art Unit: 2879

Examiner: Elizabeth A. Rielley

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Action mailed March 9, 2006 the Examiner required restriction between the following two groups of claims:

- I. Claims 1-20 and 27-32, drawn to a spark plug.
- II. Claims 33-47 drawn to a method of manufacturing a spark plug.

Applicants note that actually, claims 1-20 and 27-41 are drawn to structural subject matter (spark plugs/electrode tips and assemblies), whereas claims 42-47 are drawing to a method of manufacturing. Thus, this response is on the basis that the two groups being restricted by the Examiner are intended to be the following:

- I. Claims 1-20 and 27-41; and
- II. Claims 42-47.

With this understanding, Applicants provisionally elect, with traverse, the claims of Group I; that is, claims 1-20 and 27-41. This requirement is being traversed on the basis that restriction between patentably distinct inventions is only proper when

examination of the distinct inventions together would place a serious burden on the examiner. See M.P.E.P. § 803 which states "If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions."

In the instant case, the different independent claims are all directed to subject matter that would clearly fall within the scope of the Examiner's search and consideration, and thus no serious burden would be imposed. Accordingly, Applicants request that the restriction requirement be withdrawn and that the application proceed on that basis to being considered on the merits.

The Commissioner is hereby authorized to charge any deficiencies, or credit any overpayment associated with this communication to Deposit Account No. 50-0852.

Respectfully submitted,

REISING, ETHINGTON, BARNES, KISSELLE, P.C.

/James D. Stevens/

James D. Stevens
Registration No. 35,691
P.O. Box 4390
Troy, Michigan 48099
(248) 689-3500

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